

Presentment Date: November 16, 2022 at 10:00 a.m.

Response Due: September 30, 2022

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**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Liquidation of
Bernard L. Madoff Investment Securities LLC, and
Bernard L. Madoff,

Plaintiff,

v.

KOCH INDUSTRIES, INC., as successor in interest
to Koch Investment (UK) Company,

Defendant.

Adv. Pro. No. 08-01789 (BRL)

SIPA LIQUIDATION

(Substantively Consolidated)

Adv. Pro. No. 12-01047 (BRL)

**NOTICE OF PRESENTMENT OF PROPOSED ORDER GRANTING
MOTION OF KOCH INDUSTRIES, INC. TO DISMISS THE COMPLAINT**

PLEASE TAKE NOTICE that Defendant Koch Industries, Inc. will present to the Honorable Cecelia G. Morris, Chief United States Bankruptcy Judge, for signature on **November 16, 2022 at 10:00 a.m.**, an order, a copy of which is annexed hereto, granting Defendant's motion pursuant to Federal Rule of Civil Procedure 12(b)(6) for dismissal of this action on the ground that Plaintiff's complaint fails to state a claim on which relief may be granted.

PLEASE TAKE FURTHER NOTICE that, in accordance with the Stipulation and Order entered on May 10, 2022 [ECF No. 104], the deadline for Plaintiff's response to the motion is September 30, 2022.

PLEASE TAKE FURTHER NOTICE that if Plaintiff timely responds to the motion, a hearing may be held before the Honorable Cecelia G. Morris, Chief United States Bankruptcy Judge, at a date to be scheduled by the Court, upon such additional notice as the Court may direct.

PLEASE TAKE FURTHER NOTICE that if Plaintiff does not timely respond to the motion, the proposed order may be signed without a hearing.

Dated: August 2, 2022
Washington, D.C

Respectfully submitted,

/s/ Jonathan P. Guy

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